CAFO FACILITY INSPECTION REPORT

OFFICE NO: PCA SYSTEM TASK NO:

INSPECTOR(S): Anthony D'Angelo (PG Environmental, LLC)

FACILITY INFORMATION

8335630001 WDID NUMBER	**Andy Dyt** OWNER NAME	**Dyt Dairy No. 1** FACILITY NAME
CAG018001 NPDES NUMBER	**Ex. 6 Personal Privacy (PP)** OWNER ADDRESS	FACILITY ADDRESS
R8-2007-0001 RWQCB ORDER NO.	**Corona, CA 91720** OWNER CITY AND STATE	**Corona, CA 91720** FACILITY CITY AND STATE
04/09/2013 SCHEDULED INSPECTION DATE	**Andy Dyt** OWNER CONTACT	**Andy Dyt** FACILITY CONTACT
04/09/2013 ACTUAL INSPECTION DATE	**Ex. 6 Personal Privacy (PP)** OWNER PHONE NO.	FACILITY PHONE NO.
Cucamonga Channel RECEIVING WATER	**Ex. 6 Personal Privacy (PP)** FACILITY LATITUDE	FACILITY LONGITUDE

INSPECTION TYPE

- ☐ (A1) "A" type compliance -- (EPA Type S)
- ☒ (B1) "B" type compliance -- (EPA Type C)
- ☐ (02) Noncompliance follow-up - Correction of a previously identified violation
- ☐ (03) Enforcement follow-up - Enforcement action is being met
- ☐ (04) Complaint - Complaint
- ☐ (05) Pre-requirement
- ☐ (06) Miscellaneous

_____ (Type) NOTE: If this is an EPA inspection not mentioned above, please note type (e.g., biomonitoring, performance audit, diagnostic, etc.)

No	Was the inspection pre-announced?
Yes	Were potential violations noted during this inspection?
No	Was this a quality assurance-based inspection?
No	Were bioassay samples collected?
No	Were water quality samples collected?

INSPECTION SUMMARY

The overall Facility rating, on a 1 (Unreliable) to 5 (Very Reliable) scale, was determined to be: 3 = Satisfactory.

Dyt Dairy No. 1 (hereinafter, Facility) was rated "Satisfactory" due to the following items:

- **Depth markers were not present in basin Nos. 1 and 3 (refer to Photos 5 and 9)**
- **The depth marker in basin No. 2 did not contain depth measurement markings to adequately estimate freeboard (refer to Photos 6, 7, and 8)**
- **Weekly Storm Water Management Structure visual inspections conducted at the Facility did not contain the minimum required information (refer to Exhibit 1)**
- **The EWMP was not fully implemented (i.e., berms) onsite at the Facility (refer to Photos 14 and 15)**
- **A release of manure offsite to a flood control channel access road was observed along the northern Facility perimeter (refer to Photos 14 and 15)**

INSPECTOR DATA

INITIALS AJD SIGNATURE _____ DATE 04/09/13

CIWQS DATA ENTRY DATE: _____ REGIONAL BOARD FILE NUMBER: _____

FOR INTERNAL USE: REVIEWED BY: (1)_____ (2) _____ (3) _____

REPORT PREPARED BY: Anthony D'Angelo (PG Environmental, LLC) ON 04/19/2013

EPA SUGGESTED INSPECTION CHECKLIST

☒ Permit	☐ Flow Measurement	☐ Pretreatment	☒ Operations & Maintenance
☒ Records/Reports	☐ Laboratories	☐ Compliance Schedules	☐ Sludge Disposal
☒ Facility Site Review	☐ Eff/Receiving Waters	☐ Self- Monitoring	☐ Other

POTENTIAL VIOLATIONS

1. Depth markers were not installed in basin Nos. 1 and 3 as required by Permit Attachment B - Monitoring and Reporting Program, Section I.B.1 (refer to Photos 5 and 9).

Description of Potential Violation: **Refer to Item No. 1 of the 'Inspection Observations' section of this report for additional details.**

2. Weekly Storm Water Management Structure visual inspections conducted at the Facility did not contain the minimum required information, as required by Permit Attachment B - Monitoring and Reporting Program, Section I.B.1-3 (refer to Exhibit 1).

Description of Potential Violation: **Refer to Item No. 1 of the 'Annual Report Review' section of this report for additional details.**

3. The Engineered Waste Management Plan (EWMP) had not been fully implemented onsite at the Facility, as required by Provisions VII.C.3.a-b of the Permit (refer to Photos 14 and 15).

Description of Potential Violation: **Refer to item No. 1 of the 'Engineered Waste Management Plan Review' section of this report for additional details.**

4. A release of manure offsite to a flood control access road was observed along the northern Facility perimeter (refer to Photos 14 and 15). In addition, a berm had not been constructed along the northern Facility perimeter in accordance with the EWMP Site Plan. Discharge Prohibition IV.B of the Permit states that a "disposal of manure to land is prohibited."

Description of Potential Violation: **Refer to item No. 1 of the 'Facility Housekeeping, Wastewater, and Manure Information' section of this report for additional details.**

Date of Potential Violation: **N/A**

Date of Potential Violation Determination: **April 9, 2013**

INSPECTION OBSERVATIONS

On April 9, 2013, a Concentrated Animal Feeding Operation (CAFO) inspection was conducted for Santa Ana Water Board Order No. R8-2007-0001 - 'General Waste Discharge Requirements for Concentrated Animal Feeding Operations (Dairies and Related Facilities) within the Santa Ana Region', NPDES General Permit No. (CAG018001) at Dyt Dairy No. 1 in Corona, California (refer to Photo 1). The inspector provided a phone call and left a voicemail for Mr. Andy Dyt (Owner, Dyt Dairy No. 1) at approximately 2:00 PM on April 9, 2013. At the conclusion of the inspection, the inspector met with Mr. Dyt, and his wife, Mrs. Diane Dyt, for a records review and closing conference at approximately 4:00 PM on April 9, 2013. During the closing conference, the inspector reviewed the preliminary inspection findings with Facility representatives.

The Facility is a 54-acre dairy farm with an animal population of approximately 1,300 milking cows, 80 dry cows, and 120-180 heifers/calves at the time of the inspection. It should be noted that the Engineered Waste Management Plan states that the Facility is a 57-acre dairy farm; however, Mr. Dyt explained that the Facility was reduced to 54 acres due to the construction of a county armored flood control channel that runs along the Facility's northern perimeter (refer to Photos 14 and 15). Process wastewater from milking and cow washing activities is pumped northwest to multiple disposal valves/pipes along the northern portion of field No. 1 (refer to Photos 2, 3, and 4). Mr. Dyt stated all process wastewater that is collected in the milking barn and wash pen drains is land-applied onto field No. 1 and that the sump pump is serviced two (2) to three (3) times per year by Groomans Pump & Well Drilling. At the time of the inspection, process wastewater from the milking barn was being land applied onto field No. 1 (refer to Photo 4). Process wastewater and storm water runoff in field No. 1 that does not percolate or evaporate flows south into basin No. 3 located in the central west portion of the Facility (refer to Photo 5). Basin No. 3 contained approximately one (1) foot of accumulated process wastewater at the time of the inspection; a depth marker was not present within the basin (refer to Photo 5). Process wastewater that accumulates in basin No. 3 can either flow south over an earthen berm into basin No. 2 located in the southwestern portion of the Facility (refer to Photos 6, 7, and 8), or flow west over an earthen berm into basin No. 1 located in the southwest corner of the Facility (refer to Photos 9 and 10). Basin No. 2 was dry at the time of the inspection and was observed containing a depth marker (refer to Photo 6, 7, and 8). Basin No. 1 contained process wastewater at the time of the inspection. A depth marker was not present in basin No. 1. A concrete spillway was observed in the southwest corner of basin No. 1, and appeared to drain into an adjacent farm farmland to the south and subsequently into the Cucamonga Channel that runs along the western Facility perimeter (refer to Photos 10 through 13). Mr. Dyt stated that the basins are emptied and dried every dry season, and accumulated solids are removed and hauled offsite. In addition, Mr. Dyt stated that field No. 1 is disked annually prior to the wet season, but solids are typically not removed. Surface runoff from the central and southern corrals appeared to flow southwest into the east sides of basin Nos. 2 and 3 (refer to Photo 7). Surface runoff from the northern corrals appeared to flow west along the north side of the commodity barn and then southwest into the northeast side of field No. 1 via a swale. Manure drying stockpiles were observed on the west sides of the central and southern corrals (refer to Photos 16 and 17).

Mr. Dyt stated that the corrals are cleaned three (3) times per year and were last cleaned in October 2012. The inspector noted that three (3) haul events occurred during the 2012 reporting period. Manure that is removed from the Facility is hauled offsite by Celaya Trucking. Manure tracking manifests were maintained of all haul events during the 2012 reporting period. Mr. Dyt stated that all mortalities are removed from the Facility immediately by Stiles Animal Removal, Inc.

FACILITY

CAFO Size: **Large**

(at time of inspection)

Total Acres: **54**

Production Area Acres: **Unknown**

CONTAINMENT STRUCTURES

Wastewater Lagoons: **0** Evaporation Ponds: **0** Catch Basins: **3**

Depth Markers: **1** Other: **1 disposal field**

ANIMALS ONSITE DURING INSPECTION

Milk Cows: **1,300** Dry Cows: **80** Heifers: **120-180**

Calves: **Included in heifer number** Other: **30 angus cattle; 1 llama**

INSPECTION OBSERVATIONS

1. The inspector observed, during the inspection, that depth markers had not been not installed in basin Nos. 1 and 3 located in the western portion of the Facility as required by the Permit (refer to Photos 5 and 9). Mr. Dyt stated that the Santa Ana Water Board had previously given him approval to only install and maintain a depth marker in basin No. 2. It should be noted that basin No. 1 contained the Facility emergency concrete spillway; however, did not contain a depth marker (refer to Photos 9 through 12). Permit Attachment B - Monitoring and Reporting Program, Section I.B.1 states that "a marker shall be placed within each pond or impoundment to indicate the minimum capacity necessary to contain the runoff and direct precipitationof the 25-year, 24-hour rainfall event."

2. The inspector observed, during the inspection, that the depth marker installed in basin No. 2 did not have depth measurement markings to clearly identify basin depth and an estimate of freeboard (refer to Photos 6, 7, and 8). Permit Attachment B - Monitoring and Reporting Program, Section I.B.1 states that "a marker shall be placed within each pond or impoundment to indicate the minimum capacity necessary to contain the runoff and direct precipitationof the 25-year, 24-hour rainfall event."

ANNUAL REPORT REVIEW

ANNUAL REPORT

Monitoring Year: **2012** Reviewed: **Yes** Signed & Certified: **Yes**

Submittal Date: **December 18, 2012**

REPORTED ANIMAL POPULATION

Milk Cows: **N/A** Dry Cows: **N/A** Heifers: **N/A**

Calves: **N/A** Other: **N/A**

MANURE INFORMATION

Amount of manure spread on cropland at the Facility: **None**

Amount of manure hauled away from the Facility: **7,000 Tons**

Name and location of the composting operation, or, if the manure was hauled to cropland, the owner or tenant, and the destination address: **Unknown**

1. Weekly Storm Water Management Structure visual inspection documentation for the 2013 reporting period did not contain the minimum required information as required by the Permit. Specifically, inspection records reviewed for the 2013 reporting period did not identify an estimate of the freeboard of all containment structures at the Facility (refer to Exhibit Nos. 1 and 2). Specifically, an estimate of the freeboard of all basins was not

clearly identified on the CAFO Weekly Storm Water Management Structure Inspections Log Sheet. In addition, an inspection conducted April 5, 2013 did not accurately identify the freeboard of basin Nos. 1 and 3, which both were observed with approximately two (2) feet of process wastewater during this inspection, approximately four (4) days after the Discharger's inspection date (refer to Exhibit 2). Permit Attachment B - Monitoring and Reporting Program, Section I.B states "all containment structures, including but not limited to, ponds, berms, and wastewater distribution lines, shall be inspected at least once a week during the entire year and at least once each 24-hour period during a storm event in which rainfall exceeds 0.5 inches in 24 hours. The findings of these inspections shall be documented on the attached CAFO Weekly Storm Water Management Structure Inspections Log Sheet (Attachment 1[of the Permit])." In addition, Permit Attachment B - Monitoring and Reporting Program, Section I.B. states that "an esitimate of the freeboard for each pond or impoundment shall be recorded during each inspection." The Discharger must adequately conduct and document weekly inspections as required by Permit Attachment B - Monitoring and Reporting Program, Section I.B.

ENGINEERED WASTE MANAGEMENT PLAN (EWMP) REVIEW

Did the inspector review the EWMP in the RWQCB file?	**Yes**
Did the Facility have a copy of the EWMP on-site and available for review?	**Yes**
EWMP preparation date:	**July 29, 2002**
EWMP prepared by:	**Michael J. Fox, P.E.**
Santa Ana RWQCB EWMP acceptance date:	**Unknown**
EWMP was certified by the Facility's engineer/consultant on:	**Unknown**

1. The EWMP was not fully implemented onsite at the Facility as required by the Permit. Construction Note No. 2 of the EWMP Site Plan identifies that a berm will be constructed along the northern perimeter of the Facility, adjacent to the northern armored flood control channel, in accordance with Section "B"-"B" of the EWMP Site Plan. The inspector observed, during the inspection, that an earthen berm along the northern portion of the northern corrals was not constructed per the EWMP Site Plan Section "B"-"B" (refer to Photos 14 and 15). As a result, the Discharger was not fully implementing the approved EWMP. Provision VII.C.3.b of the Permit states that "the discharger shall develop and fully implement an Engineered Waste Management Plan (EWMP) acceptable to the Executive Officer." The Discharger shall fully implement the EWMP as required by Provision VII.C.3.b of the Permit.

NUTRIENT MANAGEMENT PLAN (NMP) REVIEW (IF APPLICABLE)

Did the Facility have a copy of the NMP on-site and available for review?	**N/A**
Date NMP was prepared:	**N/A**
NMP prepared by:	**N/A**
Santa Ana RWQCB NMP acceptance date:	**N/A**

1. The Discharger does not apply manure, litter, or process wastewater to croplands under their ownership or operational control; therefore, the Discharger is not required to develop, implement, and retain onsite a Nutrient Management Plan as stated in Provision VII.C.3.d of the Permit.

FACILITY HOUSEKEEPING, WASTEWATER, AND MANURE INFORMATION

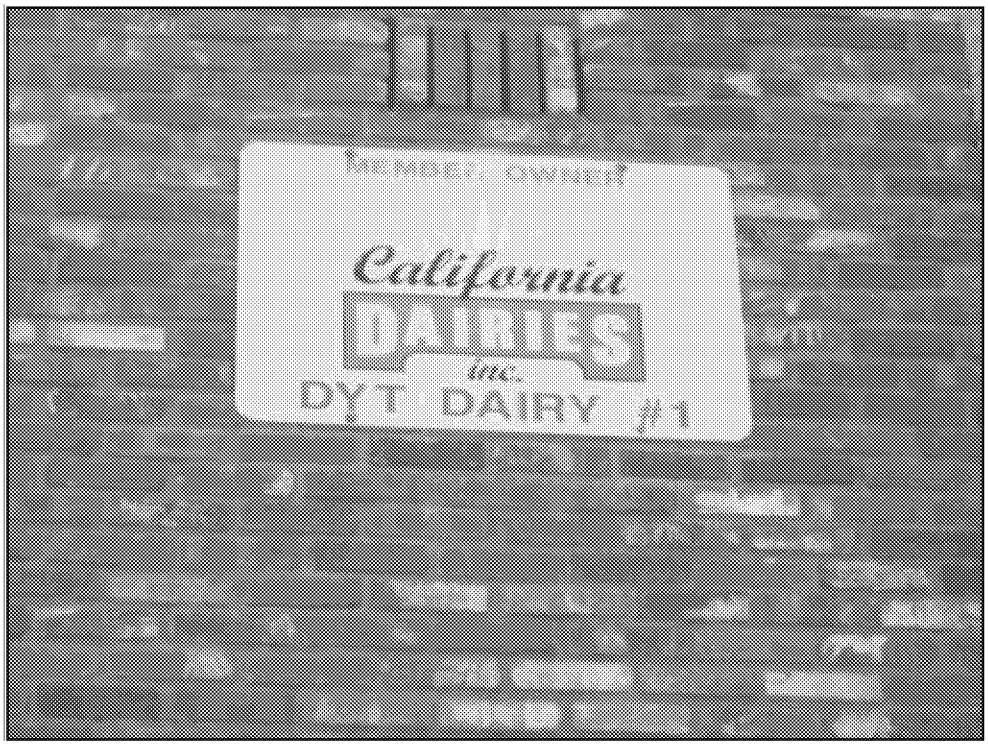
Typical Depth of Manure in Corrals (in inches):	**0-2**
Estimated Freeboard in Fullest Lagoon (in feet):	**10+**
Date of Last Lagoon Solids Removal, per Facility Representative:	**October 2012**
Disposal Location for Lagoon Solids:	**Unknown**

REVIEW OF FACILITY HOUSEKEEPING

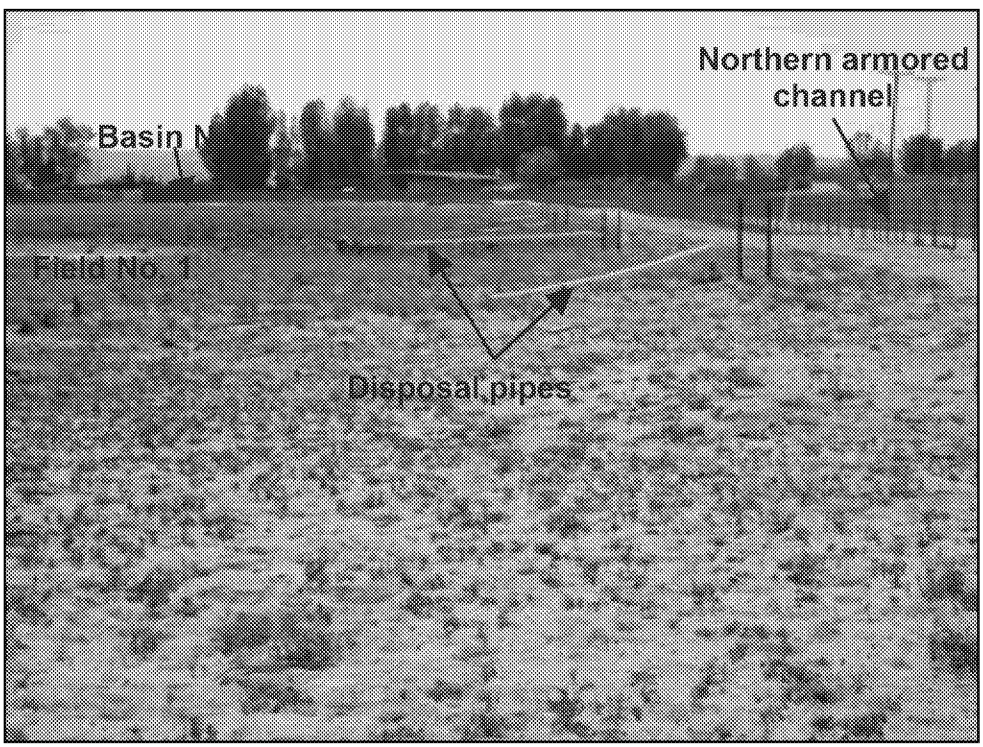
1. The inspector observed, during the inspection, evidence of a previous release of manure offsite to the north from the northwestern cow corral onto an offsite armored flood control channel access road (refer to Photos 14 and 15). Construction Note No. 2 of the EWMP Site Plan identifies that a berm shall be constructed per Section "B"-"B" along the northern perimeter of the Facility, adjacent to an offsite armored flood control channel. A berm was not installed along the northern perimeter of the northern corrals, resulting in a release of manure offsite onto the armored flood control channel access road which subsequently flows to Cucamonga Channel. As a result, manure was released offsite to the north. Discharge Prohibition IV.B of the Permit states that a "disposal of manure to land is prohibited."

ITEMS FOR FOLLOW UP ON FUTURE INSPECTIONS

1. Verify whether depth markers are present in all Facility containment structures
2. Verify whether weekly inspections contain the minimum required information
3. Verify whether the EWMP is fully implemented onsite at the Facility
4. Verify whether manure from all corrals is contained onsite



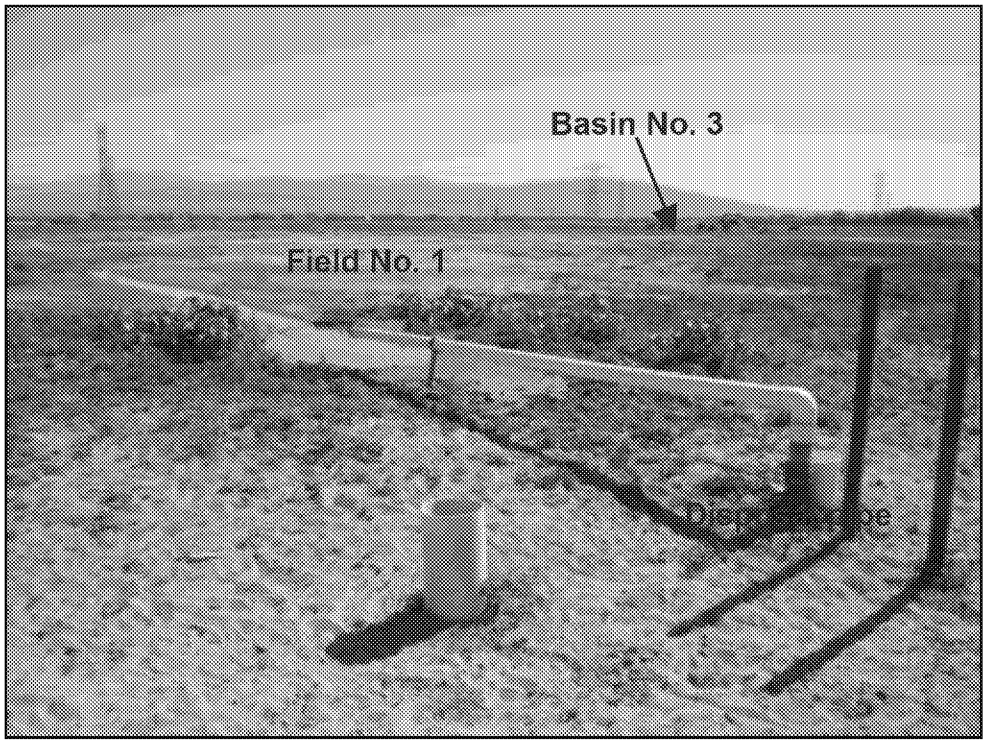
Photograph 1. Dyt Dairy No. 1 Facility sign.



Photograph 2. View facing west of the process wastewater disposal pipes located along the northern portion of field No. 1.

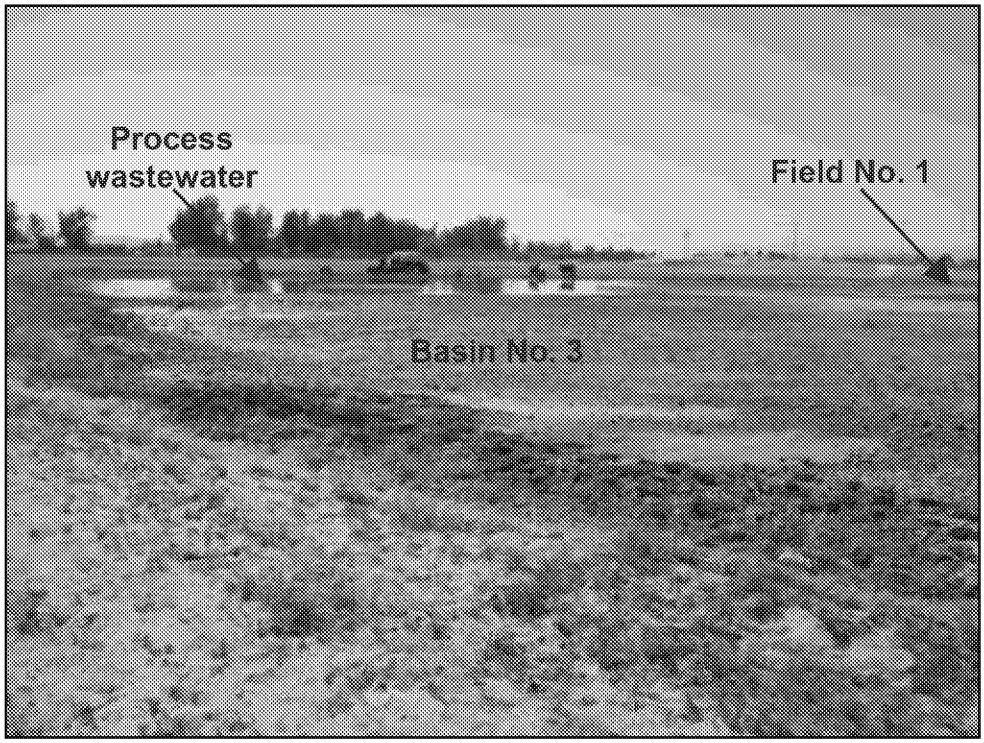
Inspection and Photograph Date: April 9, 2013

Photograph 3. Additional view facing west of the process wastewater disposal pipes located along the northern portion of field No. 1, shown in Photograph 2.

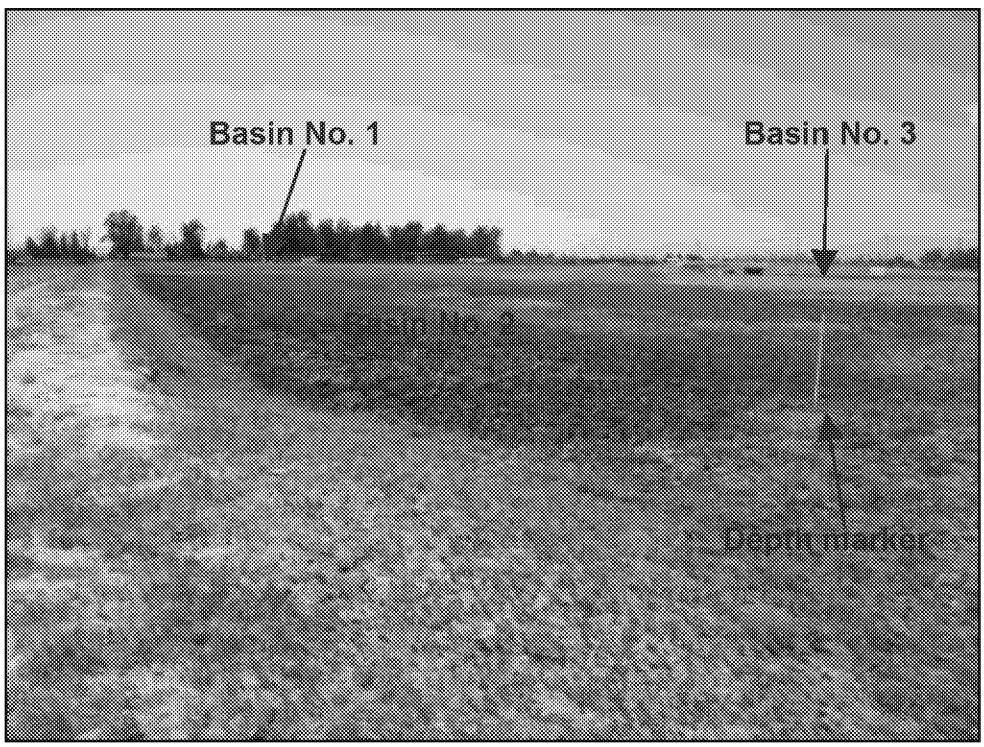


Photograph 4. Close-up view of a process wastewater disposal pipe shown in Photographs 2 and 3.

Inspection and Photograph Date: April 9, 2013

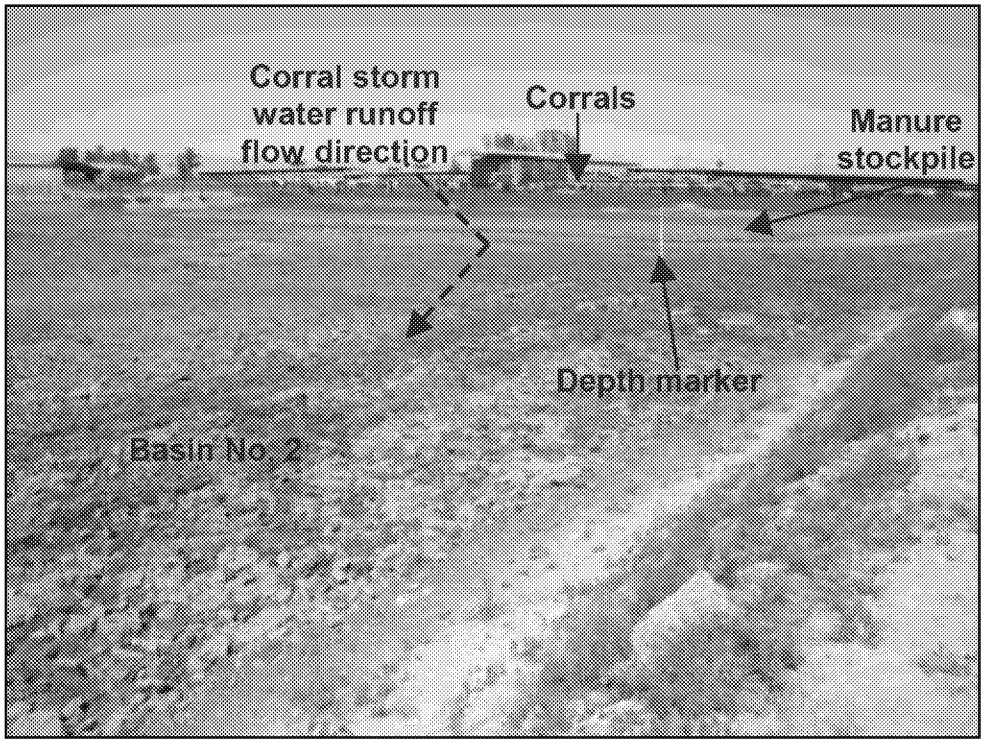


Photograph 5. View facing west of basin No. 3 located in the central-west portion of the Facility. Note this basin collects excess process wastewater and storm water runoff from field No. 1. Also note basin No. 3 did not contain a depth marker.

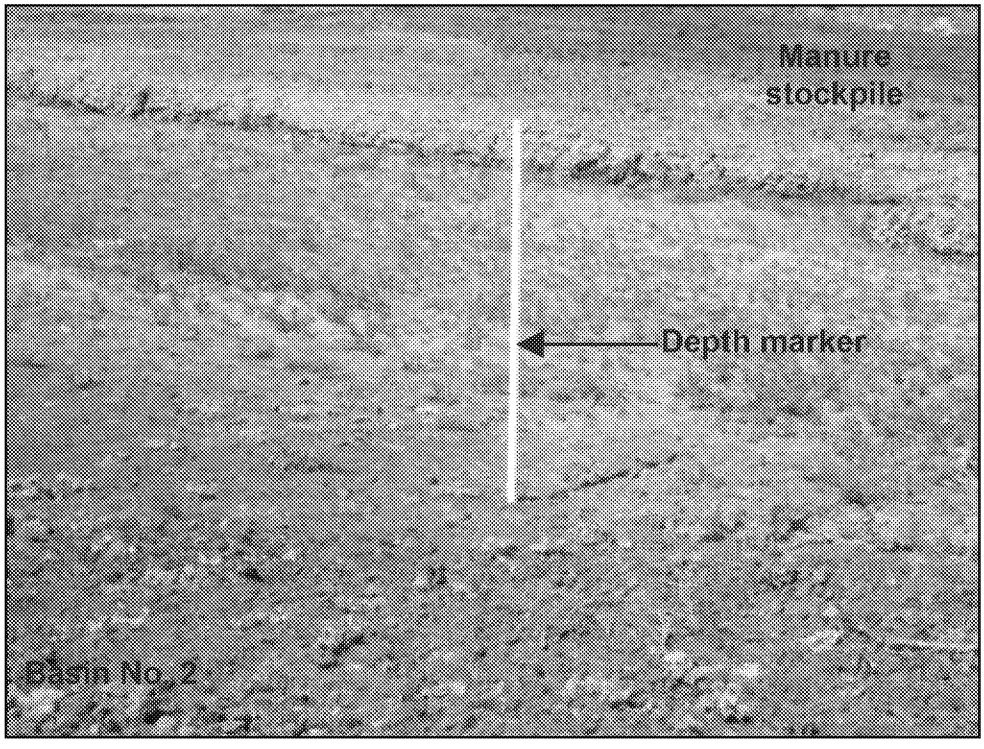


Photograph 6. View facing west of basin No. 2 located along the southern perimeter in the western portion of the Facility. Note the basin receives storm water runoff from central and southern corrals. Also note the depth marker did not contain depth markings to estimate freeboard.

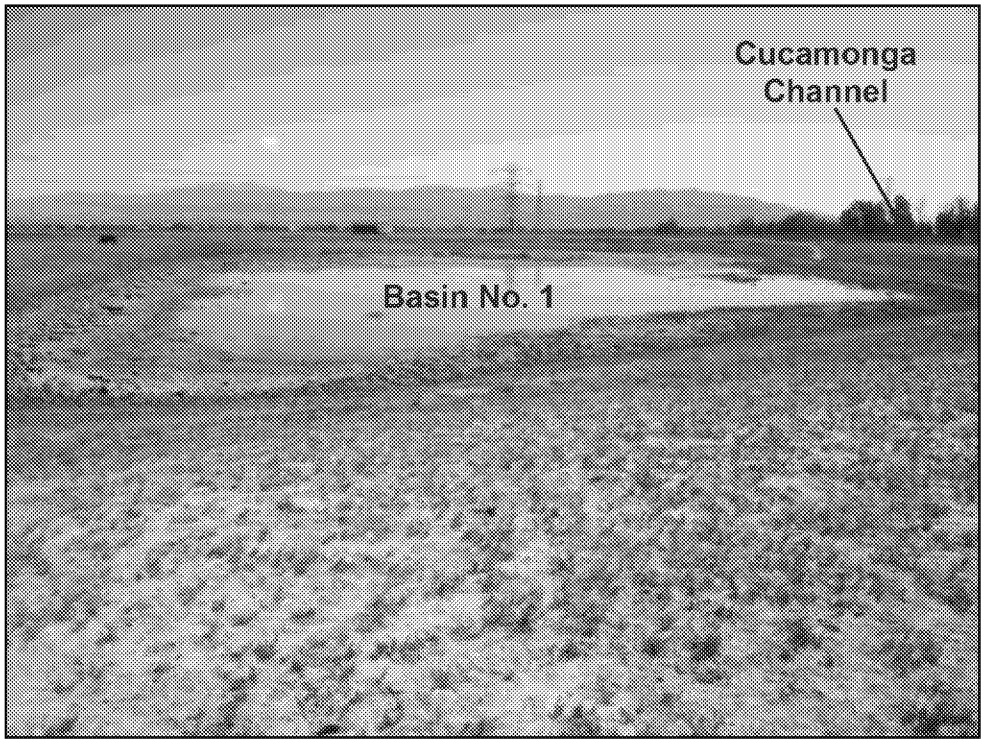
Inspection and Photograph Date: April 9, 2013



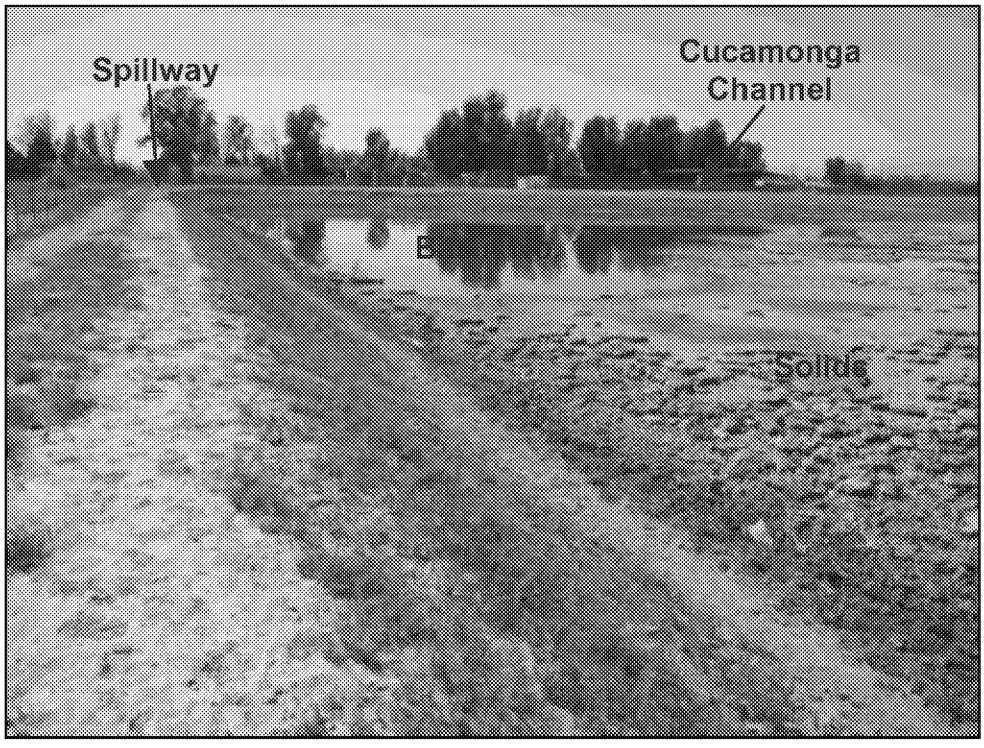
Photograph 7. View facing northeast of basin No. 2. Note the basin collects storm water runoff from the central and southern corrals east of the basin.



Photograph 8. Close-up view of the depth marker on the east side of basin No. 2, shown in Photographs 6 and 7. Note the depth marker did not contain depth measurement markings to adequately estimate freeboard. This was the only depth marker at the Facility.

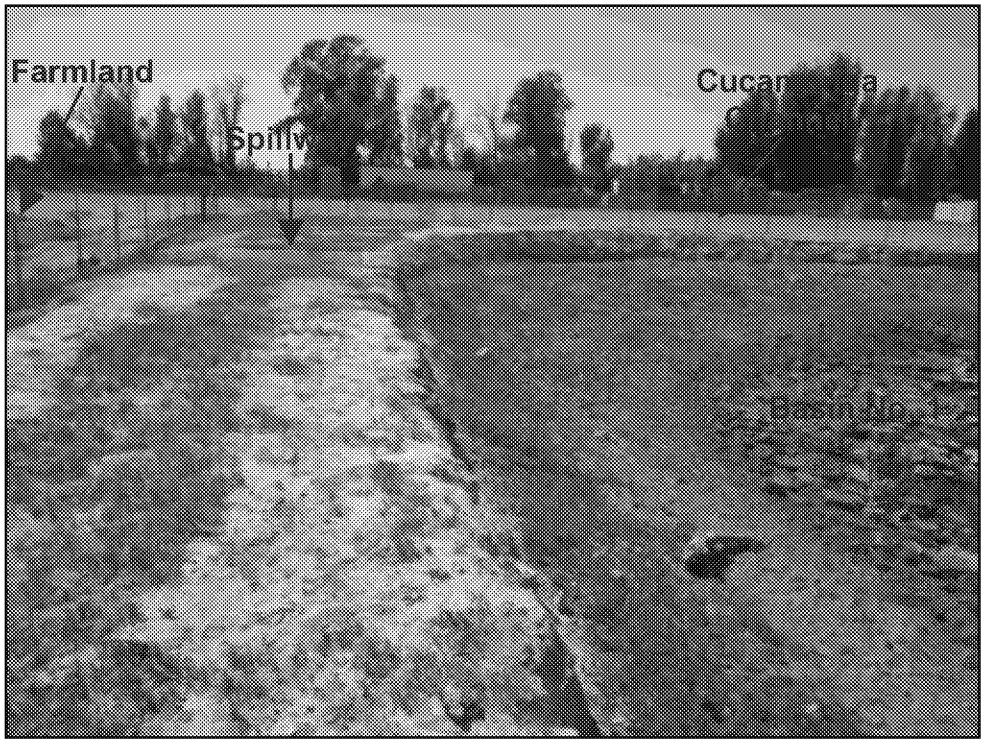


Photograph 9. View facing south of basin No. 1. Note the basin did not contain a depth marker.

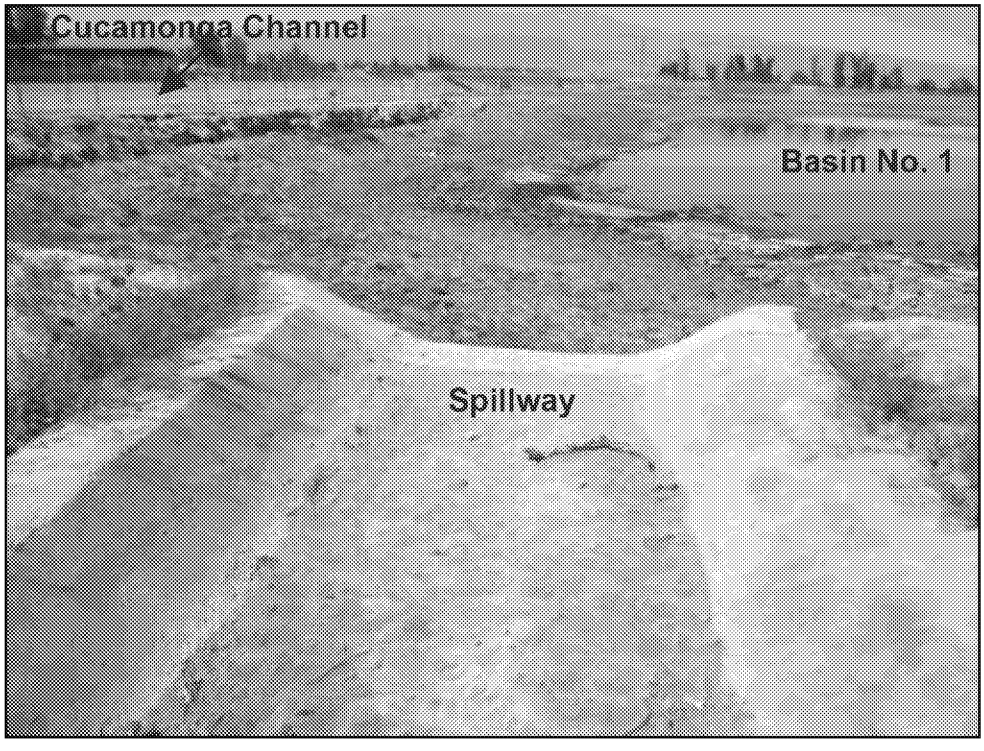


Photograph 10. View facing west of the southwest corner of basin No. 1. Note a concrete spillway was present in the southwest corner of the basin, adjacent to Cucamonga Channel.

Inspection and Photograph Date: April 9, 2013



Photograph 11. View facing west of the concrete spillway located in the southwest corner of basin No. 1. Note the concrete spillway drains into an adjacent farmland to the south and subsequently into Cucamonga Channel located along the western perimeter of the Facility.



Photograph 12. View facing north from the Facility concrete spillway in the southwest corner of basin No. 1.

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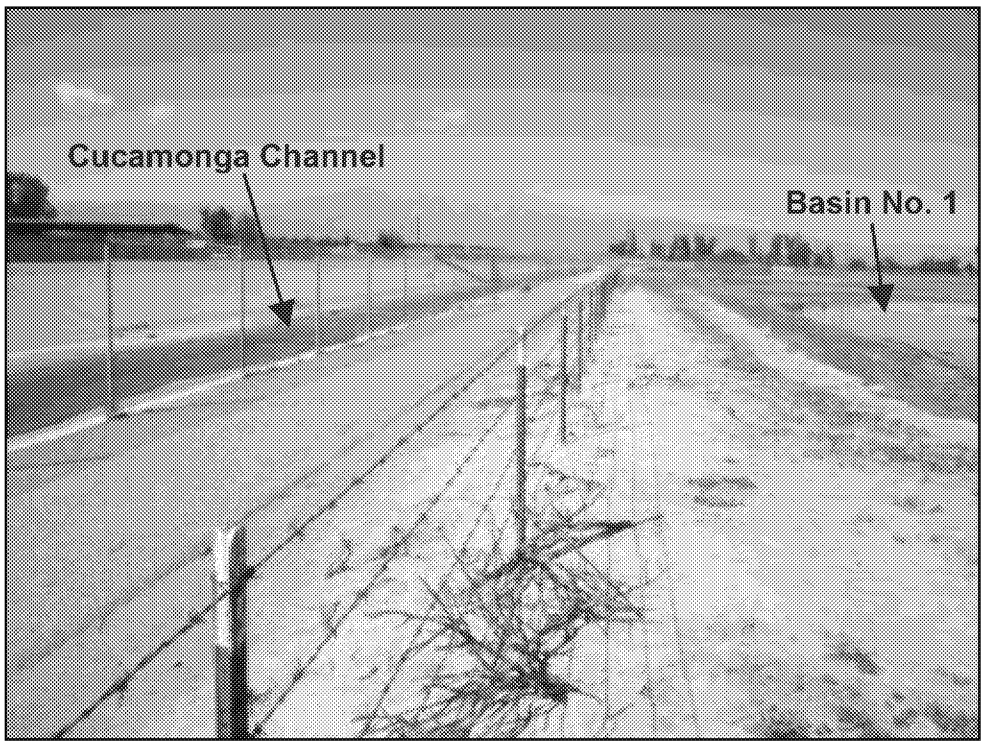
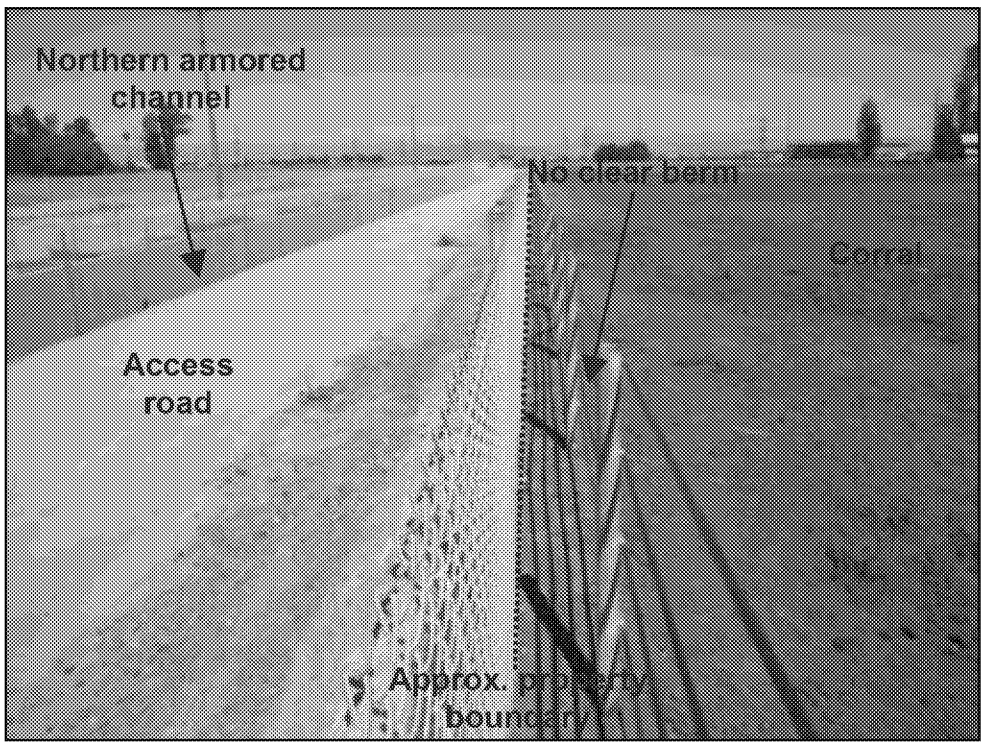


Photograph 13. View facing north along the western Facility perimeter of basin No. 1 and the Cucamonga Channel.



Photograph 14. View facing northeast of the northern Facility perimeter between the northern corrals and an unnamed armored channel. Note a previous release of manure from the corral offsite to the armored channel access road. Also note a berm had not been constructed along the northern perimeter of the corral per Section "B"-"B" of the EWMP Site Plan.

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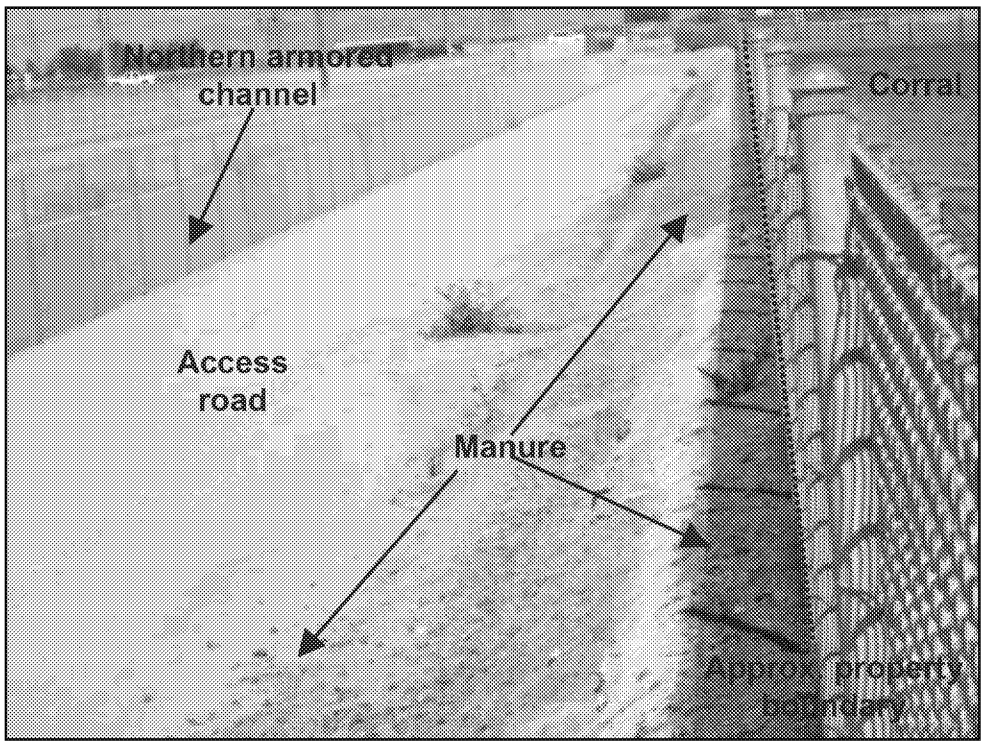
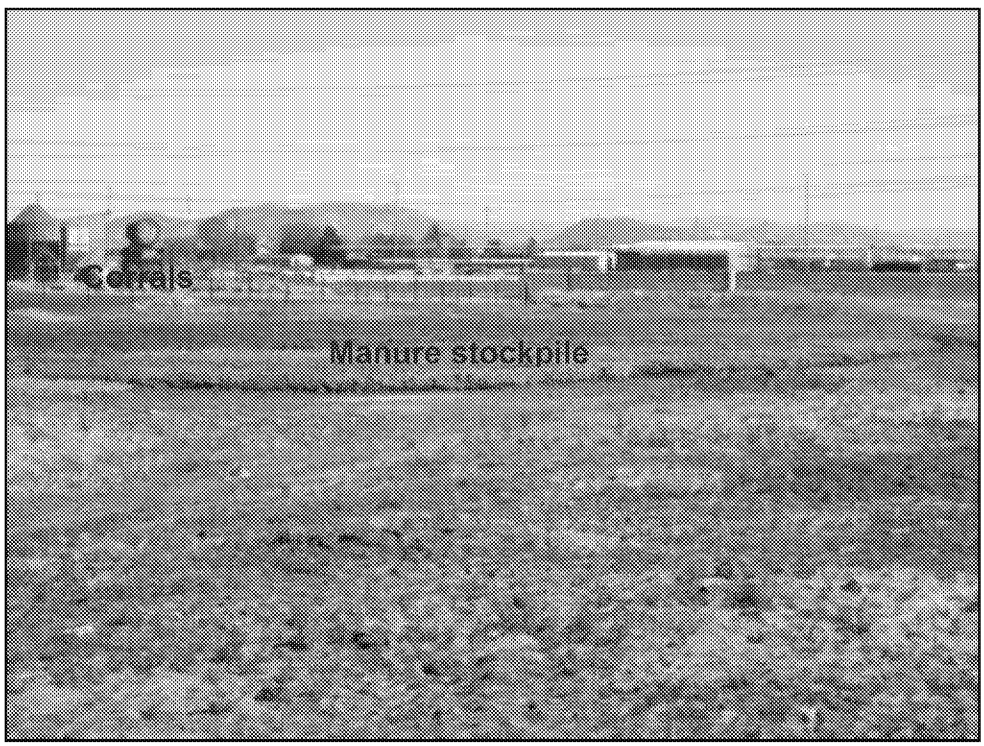


Photograph 15. View facing northeast of manure previously released offsite to the north from the northern corrals onto the adjacent armored channel access road.



Photograph 16. View facing east of a manure drying stockpile located on the west side of the southern corrals.

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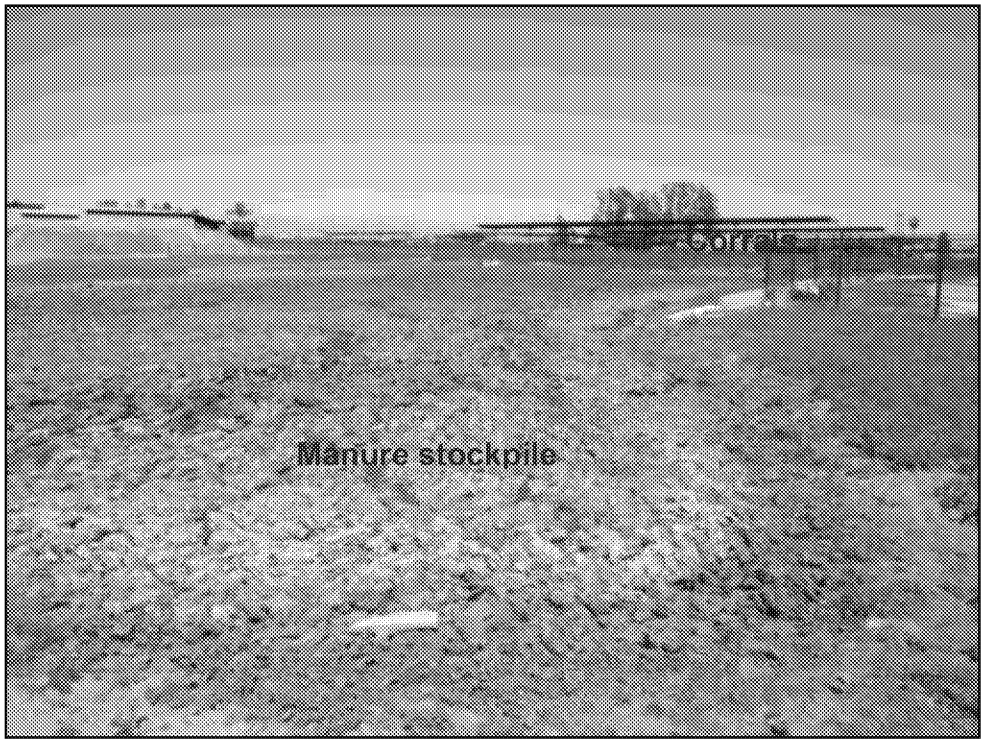

Photograph 17. View facing east of a manure drying stockpile located on the west side of the central corrals.

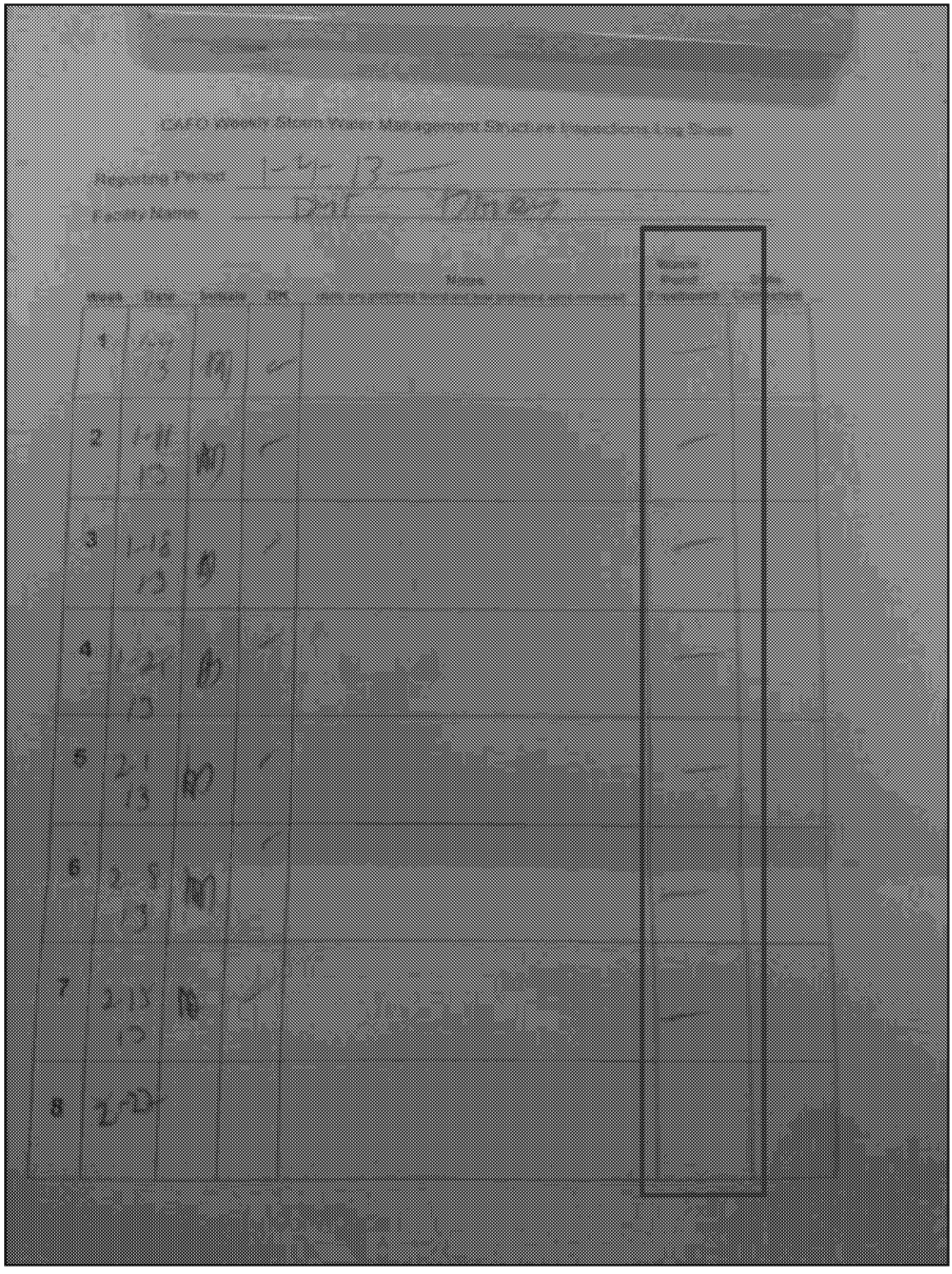

Exhibit 1. The Discharger's Weekly Storm Water Management Structure Inspection Log for the 2013 reporting period. Note an estimate of the freeboard for all Facility containment structures is not clearly identified.

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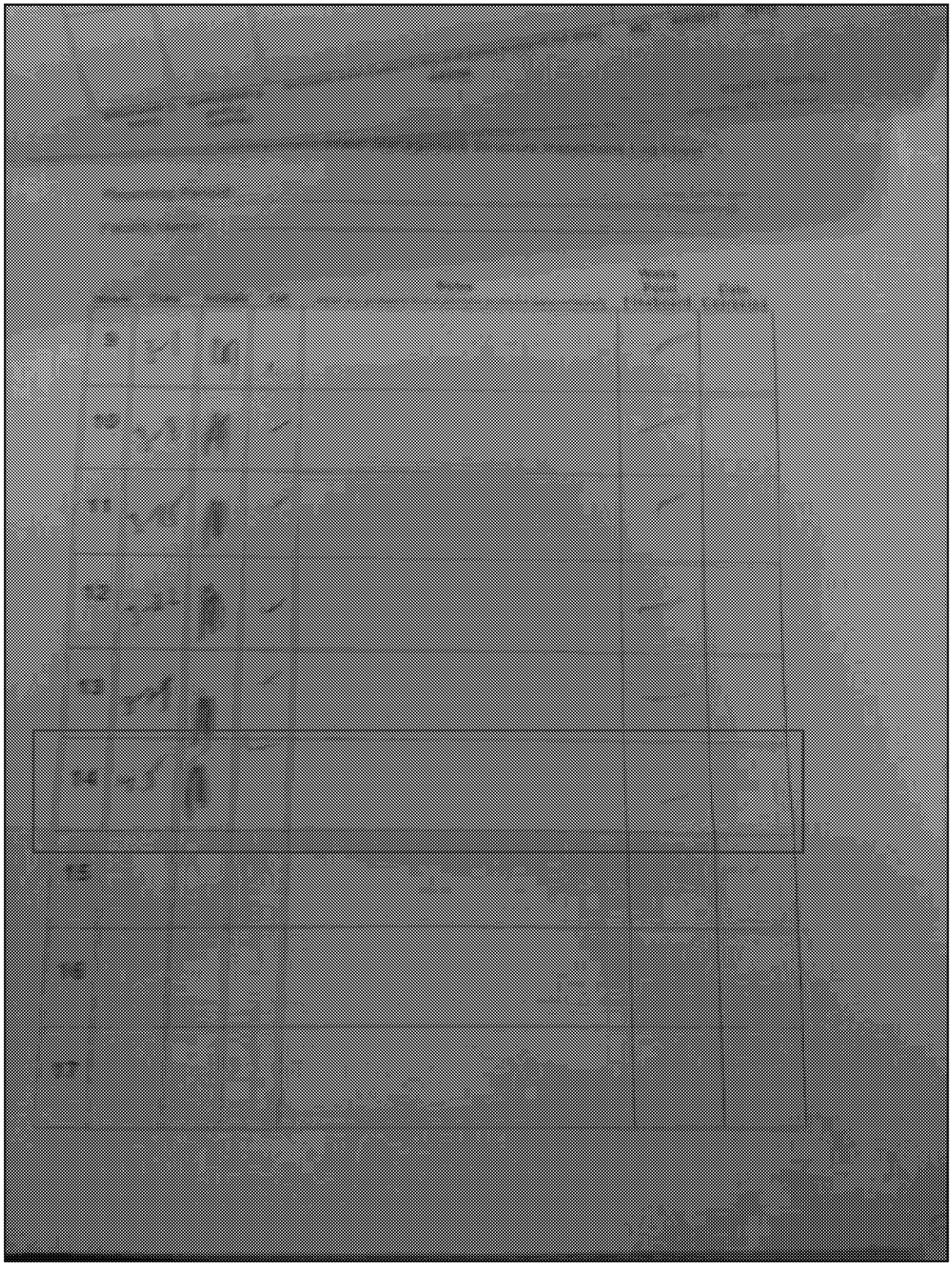

Exhibit 2. The Discharger's Weekly Storm Water Management Structure Inspection Log for the 2013 reporting period. Note an inspection conducted April 5, 2013 did not accurately identify an estimate of the freeboard of basin Nos. 1 and 3 which were observed containing approximately two (2) feet of process wastewater on April 9. 2013.

Inspection Date: April 9, 2013